

SECOND REGULAR SESSION

# HOUSE BILL NO. 2083

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES BOUCHER, MOORE, RIZZO, HILGEMANN,  
KELLY (36) (Co-sponsors), BURTON, O'TOOLE, ROBIRDS, MILLER, WILLOUGHBY,  
SMITH AND GREEN (15).

Read 1<sup>st</sup> time February 28, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

4303L.01I

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### AN ACT

To repeal sections 470.270 and 660.136, RSMo, and to enact in lieu thereof two new sections relating to funding for the utilicare stabilization fund.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 470.270 and 660.136, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 470.270 and 660.136, to read as follows:

470.270. After the owner, his **or her** assignee, personal representative, grantee, heirs,  
2 devisees or other successors, entitled to any moneys, refund of rates or premiums or effects by  
3 reason of any litigation concerning rates, refunds, refund of premiums, fares or charges collected  
4 by any person or corporation in the state of Missouri for any service rendered or to be rendered  
5 in said state, or for any contract of insurance on property in this state, or under any contract of  
6 insurance performed or to be performed in said state, which moneys, refund of rates or premiums  
7 or effects have been paid into or deposited in connection with any cause in any court of the state  
8 of Missouri or in connection with any cause in any United States court, or so paid into the  
9 custody of any depositary, clerk, custodian, or other officer of such court, whether the same be  
10 afterwards transferred and deposited in the United States treasury or not, shall be and remain  
11 unknown, or the whereabouts of such person or persons shall be and has been unknown, for the  
12 period heretofore, or hereafter, of five successive years, or such moneys, refund of rates or  
13 premiums or effects remain unclaimed for the period heretofore, or hereafter, of five successive  
14 years, from the time such moneys or property are ordered repaid or distributed by such courts,  
15 such moneys or property shall be escheatable to the state of Missouri, and may be escheated to  
16 the state of Missouri in the manner herein provided, with all interest and earnings actually  
17 accrued thereon to the date of the judgment and decree for the escheat of the same; **except that**

18 all refunds of rates generated by the refund of natural gas or electric rates shall be  
19 transferred to the utilicare stabilization fund created pursuant to section 660.136, RSMo,  
20 if the moneys that result from a refund of rates remains unclaimed after five years from  
21 the date when such rates are ordered repaid, with all interest from such refunded rates  
22 that is earned from the date such rates are ordered repaid to escheat to the state as  
23 otherwise provided in sections 470.270 to 470.350. The provisions of this section  
24 notwithstanding, this state may elect to take custody of such unclaimed property by instituting  
25 a proceeding pursuant to section 447.575, RSMo.

660.136. 1. The "Utilicare Stabilization Fund" is hereby created in the state treasury to  
2 support the provisions of sections 660.100 to 660.136. **Except as provided in subsection 2,**  
3 moneys in the utilicare stabilization fund that are not required to meet or augment the utilicare  
4 funding requirements of the state in any fiscal year shall be invested by the state treasurer in the  
5 same manner as other surplus funds are invested. Interest, dividends and moneys earned on such  
6 investments shall be credited to the utilicare stabilization fund. Such fund may also receive gifts,  
7 grants, contributions, appropriations and funds or benefits from any other source or sources, and  
8 make investments of the unexpended balances thereof.

9       **2. When the utilicare stabilization fund receives a transfer pursuant to section**  
10 **470.270, RSMo, the moneys from that transfer shall be held in the fund for one full year**  
11 **after the date of transfer and shall be used to pay for heating or cooling assistance as**  
12 **provided in sections 660.100 to 660.136. Any moneys remaining at the end of that year**  
13 **shall be deposited in the state treasury to the credit of the general revenue fund of the state.**